IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 22675 of 1994

Between:

1 T. Adinarayana, s/o Anjaneyulu,
R/o Madigudda, Atmakur (M),
Anantapur Dist.
2 Kappala Hanumanthu, S/o Chinna Venkatappa,
R/o Madigudda, Atmakur (M),
Anantapur Dist.
3 Uppara Venkatesulus, S/o Irgulanna,
R/o Madigudda, Atmakur (M),
Anantapur Dist.
4 Tirupati, s/o Kondappa,
R/o Madigudda, Atmakur (M),
Anantapur Dist.
5 Kuruva Pullanna, S/o Venkataramudu,
R/o Madigudda, Atmakur (M),
Anantapur Dist.
6 Hanumantha Reddy, s/o Yerrijanappa,
R/o Madigudda, Atmakur (M),
Anantapur Dist.
7 R. Pothireddy, s/o R. Yerijanappa,
R/o Madigudda, Atmakur (M),
Anantapur Dist.

..... PETITIONERS.

AND

Mandal Revenue Officer,
Atmakur (M), Anantapur District.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or Mandamus or any other appropriate writ or direction declaring the order of the respondent passed in Rc.(B) 958/94 dated 20.12.94 as illegal, arbitrary

and violation of principles of natural justice.

Counsel for the Petitioners: MR.O.MANOHER REDDY

Counsel for the Respondent: G.P. for Revenue.

The Court made the following :

ORDER:

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Heard Sri O.Manohar Reddy, the learned counsel appearing for the petitioners and also the learned Government Pleader for Revenue.

The petitioners herein, claiming to be the assignees, filed this writ petitioner, *inter alia,* seeking to assail the impugned order dated 20.12.1994 passed by the respondent herein whereunder having regard to the pendency of the revision filed against the granting assignment of lands to the petitioners and the directions given therein, the petitioners were asked to construct houses therein and subsequently the petitioners raised temporary structures. The case of the petitioners is that still the revision is pending for consideration and therefore, having regard to the fact that they belong to poor family, raised temporary structures by investing money and any such removal at this stage will prejudice their rights. This Court granted interim direction in W.P.M.P.28262 of 1994, dated 29.12.1994 and the said Stay is still subsisting.

Having heard both the counsel and on perusal of the material on record, it is seen that the impugned order came to be passed only in view of the interim stay granted in the writ petition while the revision is pending before the Collector. Even now, it is represented that the revision is not yet disposed. Accordingly it would suffice in the interest of justice to direct the respondents to dispose of the said revision and pending thereof the interim stay granted shall remain in operation.

The writ petition is accordingly allowed. The District Collector shall dispose of the revision as expeditiously as possible not later than three months from the date of

receipt of a copy of this order and the stay granted by this Court shall remain in operation till the disposal of the revision.

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B. PRAKASH RAO, J

10th February 2005.

Chvn.

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this the Thursday, the Tenth day of February Two thousand and five.

ASSISTANT REGISTRAR.

// TRUE COPY//

SECTION OFFICER.

To

1. Mandal Revenue Officer,
   Atmakur (M), Anantapur District.

2. Two C.Cs. to the G.P. for Revenue, High Court Buildings,
Hyderabad (OUT).

3. Two C.D. copies.